

1FW

DOCKET NO.: JJPR-0034/ORT-1377 DIV
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Timothy Lovenberg, et al.

Application No.: 10/626,398

Filing Date: July 23, 2003

For: DNAs ENCODING MAMMALIAN HISTAMINE RECEPTORS OF THE H4
SUBTYPE

Confirmation No.: 9387

Group Art Unit: 1653

Examiner: Not Yet Assigned

DATE OF DEPOSIT: June 9, 2005

I HEREBY CERTIFY THAT THIS PAPER IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL
SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID,
ON THE DATE INDICATED ABOVE AND IS
ADDRESSED TO THE UNITED STATES PATENT AND
TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA,
VA 22313-1450.

Elizabeth A. McLoud

TYPED NAME: Elizabeth A. McLoud

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified

application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

- ☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.116 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

- ☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

- ☐ Copies of reference numbers listed on the attached Form PTO-1449 are enclosed herewith.

- ☐ Copies of reference numbers - on the attached Form PTO 1449 are not required to be submitted pursuant to 37 CFR § 1.98(a)(2)(i).

- ☒ Copies of references 1 - 22 are not being submitted because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application number 09/790,849, filed February 21,

**DOCKET NO.: JJPR-0034/ORT-1377 DIV
PATENT**

- 3 -

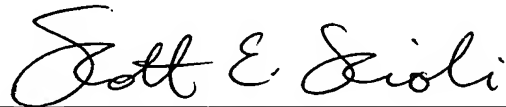
2001 for which a claim for priority under 35 U.S.C. § 120 has been made in the instant application.

☐ The relevance of those listed references which are not in the English language is as follows:

There are no listed references which are not in the English language.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

Date: June 8, 2005



Scott E. Scioli
Registration No. 47,930

WOODCOCK WASHBURN LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439



Sheet 1 of 3

Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. JJPR-0034 (ORT-1377 DIV)	Application No. 10/626,398
		Applicant Timothy Lovenberg, et al.	
		Filing Date July 23, 2003	Group 1653
		Confirmation No. 9387	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	1	Arrang, J.M., et al., "Autoinhibition of brain histamine release mediated by a novel class (H3) of histamine receptor," <i>Nature (London)</i> , 1983 , 302(5911), 832-837	
	2	Clark, M.A., et al., "Guanine nucleotides and pertussis toxin reduce the affinity of histamine H3 receptors on AtT-20 cells," <i>Agents Actions</i> , 1993 , 40(304), 129-134	
	3	Clark, M.A., et al., "High affinity histamine H3 receptors regulate ACTH release by AtT-20 cells," <i>Eur. J. Pharmacol.</i> , 1992 , 210(1), 31-35	
	4	Gantz, I., et al., "Molecular cloning of a gene encoding the histamine H2 receptor," <i>Proc. Natl. Acad. Sci. USA</i> , 1991 , 88(2), 429-433	
	5	DeVos, C., "H1-receptor antagonists: effects on leukocytes, myth or reality," <i>Clin. Exp. Allergy</i> , 1999 , 29(Supp. 3), 60-63	
	6	Hill, S.J., et al., "International union of pharmacology. IXXX. Classification of histamine receptors," <i>Pharmacol. Rev.</i> , 1997 , 49(3), 253-278	
	7	Konig, M.L., et al., "Method for identifying ligands that bind to cloned Gs- or Gi-coupled receptors," <i>Mol. Cell. Neurosci.</i> , 1991 , 2(4), 331-337	
	8	Lovenberg, T.W., et al., "Cloning and functional expression of the human histamine H ₃ receptor," <i>Molecular Pharmacology</i> , 1999 , 55, 1101-1107	
	9	Mikayama, T., et al., "Molecular cloning and functional expression of a cDNA encoding glycosylation-inhibiting factor," <i>Proc. Natl. Acad. Sci. USA</i> , 1993 , 90, 10056-10060	
	10	Pollard, H., et al., "A detailed autoradiographic mapping of histamine H3 receptors in rat brain areas," <i>Neuroscience (Oxford)</i> , 1993 , 52(1), 169-189	
EXAMINER		DATE CONSIDERED	

Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office		Docket No. JJPR-0034 (ORT-1377 DIV)	Application No. 10/626,398
		Applicant Timothy Lovenberg, et al.	
		Filing Date July 23, 2003	Group 1653
		Confirmation No. 9387	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
	11	Yamashita, M., et al., "Expression cloning of a cDNA encoding the bovine histamine H1 receptor," <i>Proc. Natl. Acad. Sci., USA</i> , 1991, 88(24), 11515-11519	
	12	Oda, T., et al., "Molecular cloning and characterization of a novel type of histamine receptor preferentially expressed in leukocytes," <i>J. of Biological Chem. USA</i> , 2000, 275(47), 36781-36786	
	13	Raible, D.G., et al., "Pharmacologic characterization of a novel histamine receptor on human eosinophils," <i>Am. J. Respir. Crit. Care Med.</i> , 1994, 149, 1506-1511	
	14	Voet, et al., BioChem, <i>John Wiley & Sons</i> , 1990, 126-128	
	15	Vukicevic, S., et al., "Induction of nephrogenic mesenchyme by osteogenic protein 1 (bone morphometric protein 7)," <i>Proceedings of the National Academies of Sciences USA</i> , 1996, 93, 9021-9026	
EXAMINER		DATE CONSIDERED	

Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office				Docket No. JJPR-0034 (ORT-1377 DIV)		Application No. 10/626,398	
				Applicant Timothy Lovenberg, et al.			
				Filing Date July 23, 2003		Group 1653	
				Confirmation No. 9387			
U. S. PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Name	Class	Subclass	
	16	5,194,596	03/16/93	Tischer, et al.	530	399	
	17	5,350,836	09/27/94	Kopchick, et al.	530	399	
	18	5,817,480	10/06/98	Murray, et al.	435	69.1	
	19	5,882,893	03/16/99	Goodearl	435	69.1	
	20	5,885,824	03/23/99	Yamada, et al.	435	252.3	
	21	6,136,559	10/24/00	Lovenberg, et al.	435	69.1	
	22	6,204,017 B1	03/20/01	Behan, et al.	435	69.1	
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document No.	Date	Country	Translation		
					YES	NO	
EXAMINER				DATE CONSIDERED			